

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In The Matter of

ANTHONY C. GAYNES,

Licensee.

ORDER NO. 15-0106

WAOIC NO. 752146
NPN 15087365

ORDER REVOKING LICENSE

To: Anthony C. Gaynes
2523 15th Ave S #203
Seattle, WA 98144

Anthony C. Gaynes
14150 NE 21st St
Bellevue, WA 98007

acgaynes@assuregrp.com

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your Washington State insurance producer's license is **REVOKED**, effective **April 28, 2015**, pursuant to RCW 48.17.530.

BASIS:

1. Anthony C. Gaynes ("Mr. Gaynes") is a Washington resident insurance producer, WAOIC No. 752146, licensed on October 15, 2009.

2. In February of 2013, Mr. Gaynes, who was not appointed or affiliated with UnitedHealthCare, presented a UnitedHealthCare Medicare Supplement policy to a Washington consumer and completed the application for submission in order to secure the sale of a policy. Mr. Gaynes admitted that he was not appointed by UnitedHealthCare when he presented and completed application materials for a UnitedHealthCare policy.

3. In May of 2013, Mr. Gaynes, who was also not appointed or affiliated with Guggenheim Life and Annuity Company, presented to a Washington consumer and completed Guggenheim Life and Annuity Company suitability forms, annuity applications, and paperwork to rollover funds from the consumer's accounts into three Guggenheim annuity contracts. Mr.

Gaynes admitted that he was not appointed by Guggenheim Life and Annuity Company when he presented and completed the Guggenheim Life and Annuity paperwork for annuity contracts.

4. Since Mr. Gaynes was not appointed with Guggenheim Life, he sought the assistance of Marlon Canda, a Washington State licensed insurance producer (WAOIC #201750), who was appointed with Guggenheim Life to submit the forms as the agent of record.

5. During the UnitedHealthCare and Guggenheim Life investigations, Mr. Gaynes became unresponsive to communications and requests from the Insurance Commissioner, including failing to respond to formal written letters notifying him of his duty to respond. Despite these written notifications advising Mr. Gaynes of his duty to respond, he did not respond within fifteen business days and still has not responded to requests and communications from the Insurance Commissioner.

6. By presenting and completing an application for a UnitedHealthCare policy without being appointed or affiliated with UnitedHealthCare, Mr. Gaynes violated RCW 48.17.160(1), justifying the revocation of his license. RCW 48.17.160(1) provides that an insurance producer or title insurance agent shall not act as an agent of an insurer unless the insurance producer or title insurance agent becomes an appointed agent of that insurer.

7. By presenting three Guggenheim Life and Annuity Company annuity contracts and completing the application for these annuities without being appointed or affiliated with Guggenheim Life and Annuity Company, Mr. Gaynes violated RCW 48.17.160(1), justifying the revocation of his license. RCW 48.17.160(1) provides that an insurance producer or title insurance agent shall not act as an agent of an insurer unless the insurance producer or title insurance agent becomes an appointed agent of that insurer.

8. By intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance, the Mr. Gaynes violated RCW 48.17.530(1)(e), justifying the revocation of his license. RCW 48.17.530(1)(e) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an adjuster's license, an insurance producer's license, a title insurance agent's license, or any surplus line broker's license for intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.

9. By using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, Mr. Gaynes violated RCW 48.17.530(1)(h), justifying the revocation of his license. RCW 48.17.530(1)(h) allows the Insurance Commissioner to place on probation, suspend, revoke, or refuse to issue or renew an adjuster's license, an insurance producer's license, a title insurance agent's license, or any surplus line broker's license for using fraudulent,

coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in this state or elsewhere.

10. By making a false or misleading statement in presenting policies of companies that he was not appointed by, Mr. Gaynes violated RCW 48.30.210, justifying the revocation of his license. RCW 48.30.210 allows the commissioner to revoke the license of any person who knowingly makes a false or misleading statement or impersonation, or willfully fails to reveal a material fact, in or relative to an application for insurance to an insurer.

11. By failing to respond to the Insurance Commissioner's written inquiries within fifteen business days from receipt of the inquiry, Mr. Gaynes violated RCW 48.17.475. Failure to make a timely response constitutes a violation of RCW 48.17.475, which states that every insurance producer, title insurance agent, adjuster, or other person licensed under this chapter shall promptly reply in writing to an inquiry of the commissioner relative to the business of insurance. A timely response is one that is received by the commissioner within fifteen business days from receipt of the inquiry. Failure to make a timely response constitutes a violation of this section.

IT IS FURTHER ORDERED that you return your insurance producer's license certificate to the Insurance Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4). Return your license to:

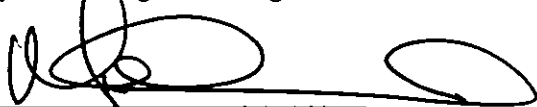
Licensing Manager
Office of the Insurance Commissioner
P. O. Box 40257
Olympia, WA 98504-0257

ENTERED this 10th day of April, 2015.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



Mandy Weeks
Insurance Enforcement Specialist
Legal Affairs Division

NOTICE OF YOUR RIGHT TO A HEARING

If you are aggrieved by this Order Revoking License, RCW 48.04.010 permits you to demand a hearing. You must demand a hearing in writing within 90 days after the date of this Order Revoking License, which is the day it was mailed to you, or you will waive your right to a hearing.

If the Insurance Commissioner receives your demand for a hearing before the effective date listed on the order revoking your license, the revocation will be automatically stayed (postponed) and your license will remain in effect pending the hearing.

Your demand for a hearing should be sent to the following address and must briefly state how you are harmed by this decision and why you disagree with it:

Hearings Unit
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

You will be notified of the time and place of your hearing. If you have questions about filing a demand for hearing or the hearing process, please telephone the Hearings Unit at (360) 725-7002 or send an email to Hearings@oic.wa.gov.

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing ORDER REVOKING LICENSE on the following individual via US Mail.

To: Anthony C. Gaynes
2523 15th Ave S #203
Seattle, WA 98144

Anthony C. Gaynes
14150 NE 21st St
Bellevue, WA 98007

acgaynes@assuregrp.com

Dated this 10th day of April, 2015, in Tumwater, Washington.



JOSH PACE
Secretary Senior
Legal Affairs Division